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March 12, 2014

The Honorable Judge William H. Pauley, III
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



RE: USA V. RICHARD CHICHALKI
09-cr-1002 (WHP)

Dear Judge Pauley:

Rule 33(b)(2) requires that to file a motion for a New Trial, the defendant must file a motion within fourteen days of the verdict. The verdict was rendered in this case on December 13, 2013. Mr. Kirton, previous counsel, filed a Rule 29 and Rule 33 motion on February 1, 2014. Mr. Chichalki filed a letter to the Court indicating his concerns about the previous counsel's representation. I believe the defendant's letter raises issues that require that I supplement the previously filed Rule 29 and Rule 33 motion. I am requesting that I be given additional time to file the supplemental Rule 29 and Rule 33 motion to address the defendant's stated concerns.

I believe that due to my assignment on this case on February 28, 2014, the Court should find that I have satisfied the requirement for an adjournment pursuant to Rule 45(b) of the Rules of Criminal Procedure.

Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mitchell Dinnerstein", is written over the typed name.

Mitchell Dinnerstein
Attorney for Richard Chichalki

cc.: AUSA Patrick McGinley
AUSA Christian Everdell